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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/473,012	10/01/1999	PAUL ARMIROLI	1948-4628	9484

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EXAMINER

NGUYEN, TRAN N

ART UNIT

PAPER NUMBER

2834

DATE MAILED: 09/30/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No. 09/473,012	Applicant(s) Armirol et al
Examiner Nguyen, Tran N	Art Unit 2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on Mar 11, 2002

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

4) Claim(s) 1-30 is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-4, 6-19, and 21-30 is/are rejected.

7) Claim(s) 5 and 20 is/are objected to.

8) Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some* c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) The translation of the foreign language provisional application has been received.

15) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s). _____

2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) Other: _____

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DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. **Claims 1-4, 12-15, 16-19 and 27-29** are rejected under 35 U.S.C. § 103(a) as being unpatentable over Irie et al (US 5973435), in view of Ishikawa (EP 0 762 617 A1)

Irie discloses an alternator for a vehicle (as shown in figs. 1-2 and 4-5) comprising: two claw-pole pieces (18, 20) interlacing, each of the poles of the claw-pole pieces (18, 20) having a groove-formed flange portions (40, 42) for accommodating at least one magnet (34); a non-magnetic strips made of resin (col 3 lines 18-25), obviously resin is less hard than the permanent magnet that is

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interposed between a face of the magnet and a first portion of at least one of the grooves. Irie discloses that each of the claw poles (18, 20) respectively having flanges (40, 42) on the peripheral sides of the poles, as shown in figures 4-5 of the ref, the flanges are formed substantially along each side in the axial direction. These flanges are obviously formed by respective grooves which are profiled substantially axially along peripheral sides thereof. However, Irie does not clearly discuss about *the grooves* that respectively formed the flange portions (40, 42).

Ishikawa, however, teaches an alternator for a vehicle (as shown in figs. 1 and 8A) comprising: two claw-pole pieces interlacing, each pole of the claw-pole pieces having respective grooves (9f) being profiled substantially axially along peripheral sides thereof (fig 8A). Ishikawa particularly teaches that the grooves (9f) prevents the permanent magnet (11) from being caused to fly away radially from the claw-poles (9) by the centrifugal force when the rotor rotates at a high rotaray speed (col. 8 lines 1-4).

Thus, it would have been an obvious matter of engineering design choice at the time the invention was made to modify Irie's alternator by configuring each of the claw pole with respective grooves being profiled substantially axially along

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peripheral sides of the poles, as taught by Ishikawa. Doing so would prevent the permanent magnet, which is disposed between two intermeshed claw poles, from being caused to fly away radially from the claw-poles by the centrifugal force when the rotor rotates at a high rotaray speed (col. 8 lines 1-4).

Regarding the material of the strips to be glass fiber embedded in pre-impregnated plastic, as recited in claims 15 and 29, Irie discloses the strips formed of resin which is less hard than the permanent magnet to be flexibly fitted to the grooves and having thermal conductive property for heat ventilation. Those skilled in the art would have the necessary knowledge to apply the Irie's essential teaching and selecting a suitable less-hard non-magnetic material to formed the strips.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to select material of the strips to be glass fiber embedded in pre-impregnated plastic, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. *In re Leshin*, 125 USPQ 416.

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4. **Claims 6-8 and 21-23** are rejected under 35 U.S.C. § 103(a) as being unpatentable over Irie and Ishikawa, as rejected in the rejection against the base claims, and in view of level of ordinary skill of a worker in the art.

The combination of the Irie and Ishikawa refs discloses the claimed invention, except for the added limitations of the groove has an U-shaped profile or a V-shaped profile.

Regarding the U-shaped profile or the V-shaped profile of the groove, the prior art combination does disclose that the claw poles are configured with groove for accommodating the magnet therein in order to retain the magnet in place. Those skilled in the art would understand that configuring a groove with different profiles would be an engineering design choice based upon the size and shape of the magnet that being employed in the alternator.

Thus, it would have been an obvious matter of engineering design choice at the time the invention was made to configure the pole's groove with either an U-shaped profile or the V-shaped profile, since such a modification would have involved a mere change in the size or shape of a component. A change in size or

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shape is generally recognized as being within the level of ordinary skill in the art.

In re Rose, 105 USPQ 237 (CCPA 1955).

5. **Claims 9, 24 and 30** are rejected under 35 U.S.C. § 103(a) as being unpatentable over Irie and Ishikawa, as applied in the rejections against the base claims of claims 9 and 24, and in view of Yamada et al (USP 5734216), rejections for claim 30 is a combination of Irie, Ishikawa and Yamada.

The combination of the Irie and Ishikawa refs discloses the claimed invention, except for the limitations of a layer of adhesive that is more flexible than the magnet, the adhesive layer being interposed between the strip and the magnet.

Yamada, however, teaches a magnet rotor for a dynamoelectric machine comprising a yoke (1) covering one circumferential face of a magnet (2); an adhesive layer (3), which is made of silicone-system adhesive which is more flexible than the magnet, interposed between the magnet (2) and the strip (1) (figs. 1-2A). Yamada teach that by providing an adhesive layer between the magnet and the yoke the magnet can be effectively prevented from being thermally damaged or broken even in used of high temperatures (col 2, lines 1-4).

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Thus, it would have been an obvious matter of engineering design choice at the time the invention was made to modify the alternator by providing a layer of adhesive between the strip and the magnet, as taught by Yamada et al, because this would effectively prevent the magnet from being thermally damaged or broken even in used of high temperatures (col 2, lines 1-4).

6. **Claims 10-11 and 25-26** are rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamada, as rejected in the rejection against the base claims, and in view of Mitcham et al, USP 5877578.

The combination of Irie and Ishikawa and Yamada refs discloses the claimed invention, except for the added limitations of the magnet including two separate parts bonded together by a layer of the adhesive material.

Mitcham et al, however, disclose a permanent magnet rotor (figs. 2-6) comprising: a plurality of separate magnet parts (20) that are bonded together. Mitcham et al teach that the magnets are subdivided to reduce the generation of eddy current in the magnet (col. 2 lines 29-31, 34-37).

Thus, it would have been obvious to one skilled in the art at the time the invention was made to modify the alternator by configuring the magnet as a

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plurality of separate magnets bonded together by a layer of adhesive material, as taught by Mitcham et al, because this would provide a composite magnet that would reduce the generation of eddy current in the magnet (col. 2 lines 29-31, 34-37) resulting increasing effective performance of the alternator.

Regarding the adhesive material as the same adhesive material that is used for bonding the strip and the magnet, it would have been obvious to one having ordinary skill in the art at the time the invention was made to select the adhesive material for bonding the magnets together to be the same as adhesive material for bonding the strip and the magnet, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. *In re Leshin*, 125 USPQ 416.

Allowable Subject Matter

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7. **Claims 5 and 20** would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims.

Response to Arguments

8. Applicant's arguments, filed on 8/30/02, have been fully considered but they are not persuasive.

The applicant argues that either Irie or Ishikawa discloses grooves and groove profile that prevents the magnet from escaping perpendicularly from the grooves.

In response to this argument, the definition of the word "groove" is a long, narrow furrow or channel.¹ With this definition in mind, the applicant's attention is drawn to the Irie reference's figures 3-5 which show each of the claw poles having flanges (40) on two respective sides and a pole portion (18) radially extending from the flanges (40). The corner, where the flanges being extended circumferentially and the claw pole portion being extended radially, forms a groove thereof (see attachment for detail). The permanent magnet (PM) (34) is restrained therein to prevent the PM from escaping.

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Similarly, the Ishikawa reference's figures 8A-8B showing each of the claw poles having two shoulder (9f) on two respective sides and a pole portion (9b) radially extending therefrom. The corner, where the shoulder being extended circumferentially and the claw pole portion being extended radially, forms a groove thereof (see attachment for detail). The PM (25) is restrained therein to prevent the PM from escaping.

The applicant's attention is now drawn to the claimed language, claim 1 recites "the poles including grooves profiled substantially axially along peripheral sides of each pole body". Both Irie and Ishikawa discloses poles including grooves profiled substantially axially along both circumferential peripheral sides of each pole body. Thus, both references are read on the claimed invention.

Perhaps, the applicant argumentative point of view is about *each of the claw pole having a radially inner flanges and radially outer flange with respect to the axial axis, wherein the radially inner flange and the radially outer flange from an undercut groove therebetween for engaging the magnet in the undercut groove* (as shown in figs 2-4 of the present application). However, the claimed language does not clearly recite these features of applicant's invention. Although

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the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Thus, the rejections are deemed proper and hereby no new ground of rejection is applied.

Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

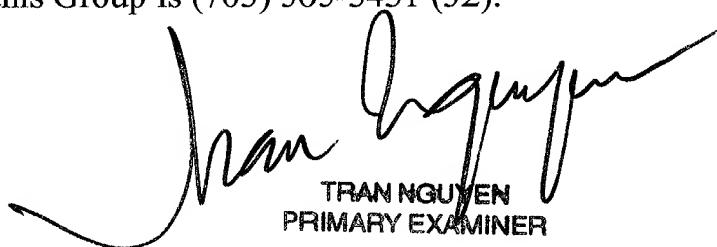
A shortened statutory period for response to this final action is set to expire THREE MONTHS from the date of this action. In the event a first response is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event will the statutory period for response expire later than SIX MONTHS from the date of this final action.

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Communication

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tran Nguyen whose telephone number is (703) 308-1639.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 308-1782. The fax phone number for this Group is (703) 305-3431 (32).



TRAN NGUYEN
PRIMARY EXAMINER